

MESSAGE NO: 0328305 MESSAGE DATE: 11/24/2010

MESSAGE STATUS: Active CATEGORY: Antidumping  
TYPE: ORD-Order PUBLIC ☒ NON-PUBLIC ☐  
SUB-TYPE:

FR CITE: 75 FR 71070 FR CITE DATE: 11/22/2010

REFERENCE 0291308  
MESSAGE #  
(s):

CASE #(s): A-201-838

EFFECTIVE DATE: 11/22/2010 COURT CASE #:

PERIOD OF REVIEW: 05/12/2010 TO 11/22/2010

PERIOD COVERED: TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: ANTIDUMPING DUTY ORDER & AMENDED FINAL DETERMINATION IN THE INVESTIGATION OF SEAMLESS REFINED COPPER PIPE AND TUBE FROM MEXICO (A-201-838)

1. ON 11/22/2010, COMMERCE PUBLISHED IN THE FEDERAL REGISTER ITS ANTIDUMPING DUTY ORDER AND AMENDED FINAL DETERMINATION IN THE INVESTIGATION OF SEAMLESS REFINED COPPER PIPE AND TUBE FROM MEXICO (75 FR 71070). THIS IS AN AMENDMENT OF MESSAGE NUMBER 0291308 ON 10/18/2010.

2. THE MERCHANDISE COVERED BY THIS ORDER IS ALL SEAMLESS CIRCULAR REFINED COPPER PIPES AND TUBES, INCLUDING REDRAW HOLLOW, GREATER THAN OR EQUAL TO 6 INCHES (152.4 MM) IN LENGTH AND MEASURING LESS THAN 12.130 INCHES (308.102 MM) (ACTUAL) IN OUTSIDE DIAMETER ("OD"), REGARDLESS OF WALL THICKNESS, BORE (E.G., SMOOTH, ENHANCED WITH INNER GROOVES OR RIDGES), MANUFACTURING PROCESS (E.G., HOT FINISHED, COLD-DRAWN, ANNEALED), OUTER SURFACE (E.G., PLAIN OR ENHANCED WITH GROOVES, RIDGES, FINS, OR GILLS), END FINISH (E.G., PLAIN END, SWAGED END, FLARED END, EXPANDED END, CRIMPED END, THREADED), COATING (E.G., PLASTIC, PAINT), INSULATION, ATTACHMENTS (E.G., PLAIN, CAPPED, PLUGGED, WITH COMPRESSION OR OTHER FITTING), OR PHYSICAL CONFIGURATION (E.G., STRAIGHT, COILED, BENT, WOUND ON SPOOLS).

THE SCOPE OF THIS ORDER COVERS, BUT IS NOT LIMITED TO, SEAMLESS REFINED COPPER PIPE AND TUBE PRODUCED OR COMPARABLE TO THE AMERICAN SOCIETY FOR TESTING AND MATERIALS ("ASTM") ASTM-B42, ASTM-B68, ASTM-B75, ASTM-B88, ASTM-B88M, ASTM-B188, ASTM-B251, ASTM-B251M, ASTM-B280, ASTM-B302, ASTM-B306, ASTM-359, ASTM-B743, ASTM-B819, AND ASTM-B903 SPECIFICATIONS AND MEETING THE PHYSICAL PARAMETERS DESCRIBED THEREIN. ALSO INCLUDED WITHIN THE SCOPE OF THIS ORDER ARE ALL SETS OF COVERED PRODUCTS, INCLUDING "LINE SETS" OF SEAMLESS REFINED COPPER TUBES (WITH OR WITHOUT FITTINGS OR INSULATION) SUITABLE FOR CONNECTING AN OUTDOOR AIR CONDITIONER OR HEAT PUMP TO AN INDOOR EVAPORATOR UNIT. THE PHRASE "ALL SETS OF COVERED PRODUCTS" DENOTES ANY COMBINATION OF ITEMS PUT UP FOR SALE THAT IS COMPRISED OF

MERCHANDISE SUBJECT TO THE SCOPE.

“REFINED COPPER” IS DEFINED AS: (1) METAL CONTAINING AT LEAST 99.85 PERCENT BY WEIGHT OF COPPER; OR (2) METAL CONTAINING AT LEAST 97.5 PERCENT BY WEIGHT OF COPPER, PROVIDED THAT THE CONTENT BY WEIGHT OF ANY OTHER ELEMENT DOES NOT EXCEED THE FOLLOWING LIMITS:

ELEMENT    LIMITING CONTENT PERCENT BY WEIGHT

AG - SILVER    0.25

AS - ARSENIC    0.5

CD - CADMIUM    1.3

CR - CHROMIUM    1.4

MG - MAGNESIUM    0.8

PB - LEAD    1.5

S - SULFUR    0.7

SN - TIN    0.8

TE - TELLURIUM    0.8

ZN - ZINC    1.0

ZR - ZIRCONIUM    0.3

OTHER ELEMENTS (EACH)    0.3

EXCLUDED FROM THE SCOPE OF THIS ORDER ARE ALL SEAMLESS CIRCULAR HOLLOW OF REFINED COPPER LESS THAN 12 INCHES IN LENGTH WHOSE OD (ACTUAL) EXCEEDS ITS LENGTH. THE PRODUCTS SUBJECT TO THIS ORDER ARE CURRENTLY CLASSIFIABLE UNDER SUBHEADINGS 7411.10.1030 AND 7411.10.1090 OF THE HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES (“HTSUS”). PRODUCTS SUBJECT TO THIS ORDER MAY ALSO ENTER UNDER HTSUS SUBHEADINGS 7407.10.1500, 7419.99.5050, 8415.90.8065, AND 8415.90.8085. ALTHOUGH THE HTSUS SUBHEADINGS ARE PROVIDED FOR CONVENIENCE AND CUSTOMS PURPOSES, THE WRITTEN DESCRIPTION OF THE SCOPE OF THIS ORDER IS DISPOSITIVE.

3. FOR FURTHER REPORTING PURPOSES THIS CASE HAS BEEN ASSIGNED INVESTIGATION NUMBER A-201-838.

4. THE INTERNATIONAL TRADE COMMISSION (“ITC”) NOTIFIED THE DEPARTMENT OF COMMERCE THAT IMPORTS OF SEAMLESS REFINED COPPER PIPE AND TUBE FROM MEXICO THREATEN MATERIAL INJURY TO THE U.S. INDUSTRY. THE ITC DID NOT DETERMINE, BUT FOR THE SUSPENSION OF LIQUIDATION OF ENTRIES OF SEAMLESS REFINED COPPER PIPE AND TUBE FROM MEXICO, THE DOMESTIC INDUSTRY WOULD

HAVE BEEN MATERIALLY INJURED. THEREFORE, THE DEPARTMENT OF COMMERCE WILL ISSUE SEPARATE INSTRUCTIONS TO CUSTOMS AND BORDER PROTECTION ("CBP") TO TERMINATE SUSPENSION AND REFUND ANY CASH DEPOSIT AND RELEASE ANY BOND OR OTHER SECURITY OF SEAMLESS REFINED COPPER PIPE AND TUBE FROM MEXICO FOR SHIPMENTS, ENTERED OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION PRIOR TO 11/22/2010, THE DATE OF PUBLICATION OF THE ITC'S FINAL DETERMINATION IN THE FEDERAL REGISTER (75 FR 71146).

5. FOR IMPORTS OF SEAMLESS REFINED COPPER PIPE AND TUBE FROM MEXICO, CBP SHALL SUSPEND LIQUIDATION OF SUCH SHIPMENTS ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER 11/22/2010. EFFECTIVE 11/22/2010, CBP SHALL REQUIRE, FOR SUCH ENTRIES, A CASH DEPOSIT EQUAL TO THE MARGINS SHOWN BELOW:

PRODUCER: IUSA S.A. DE C.V. ("IUSA")

EXPORTER: IUSA S.A. DE C.V. ("IUSA")

CASE NUMBER: A-201-838-001

CASH DEPOSIT RATE: 24.89 PERCENT

PRODUCER: NACIONAL DE COBRE, S.A. DE C.V. ("NACOBRE")

EXPORTER: NACIONAL DE COBRE, S.A. DE C.V. ("NACOBRE")

CASE NUMBER: A-201-838-002

CASH DEPOSIT RATE: 27.16 PERCENT

FOR SHIPMENTS OF SUBJECT MERCHANDISE FROM THE PRODUCER AND EXPORTER IDENTIFIED ABOVE IN ANY OTHER COMBINATION, CASH DEPOSITS ONLY SHOULD BE COLLECTED AT THE ALL-OTHERS RATE IN EFFECT ON THE DATE OF ENTRY. THE ALL-OTHERS RATE CURRENTLY IN EFFECT IS 26.03 PERCENT.

6. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTAM AT THE OFFICE OF AD/CVD OPERATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577, RESPECTIVELY (GENERATED BY O3:GM).

7. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

MICHAEL B. WALSH

Message Date: 11/24/2010

Message Number: 0328305

Page 4 of 6



## Company Details

\*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party

Case #	Rate	Party Indicator*	Party ID	Party Name
A-201-838-000	26.03%	M		ALL OTHERS
A-201-838-001	24.89%	E		IUSA S.A. DE C.V. ("IUSA")
A-201-838-001	24.89%	M		IUSA S.A. DE C.V. ("IUSA")
A-201-838-002	27.16%	E		NACIONAL DE COBRE, S.A. DE C.V. ("NACOBRE")
A-201-838-002	27.16%	M		NACIONAL DE COBRE, S.A. DE C.V. ("NACOBRE")